IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. CIVIL WRIT PETITION NO.9340/07
Bhagwan Sahai & Ors. Vs. State of Ors.

Date of order : 13/12/2007.

**HON'BLE MR.JUSTICE MOHAMMAD RAFIQ**

Shri Samundra Singh for the petitioner.
Shri H.V. Nandwana, Dy. GA for the respondent.

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The writ petition has been filed with the grievance that the respondents should not raise any construction on the land owned and possessed by the petitioner.

The learned Deputy Government Advocate has clarified that the respondents are undertaking the work of road construction only on such land which is acquired and owned by the Government and not on the land of the petitioner.

Learned counsel for the petitioner however still asserts that the respondents be restrained not to interfere with the

possession of the petitioner and over land of his patta and constructed house.

In the circumstances, the writ petition is disposed with with a direction that no construction on the land owned and in the title of the petitioner shall be made except with due process of law. The respondents would however be free to construct the road on the land which is acquired and owned by them.

**(MOHAMMAD RAFIQ), J.**

RS/